

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
Plaintiff, ) Case No. CR06-26-RSL-JPD  
v. )  
DANIEL MENGISTEAB YOHANNES, ) DETENTION ORDER  
Defendant. )  
\_\_\_\_\_  
)

Offenses charged:

Count 1: Conspiracy to Distribute Cocaine Base in violation of 21 U.S.C. §§ 841(a)(1), and 841(b)(1)(A), and 846.

Counts 10 through 15: Distribution of Cocaine Base in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B).

Date of Detention Hearing: February 15, 2006.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds the following:

## FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that defendant is a flight risk and a danger to the community based on the nature of the pending charges.

(2) The information regarding defendant's place of residency is unverifiable..

(3) Defendant has had past substance-abuse problems, and it appears that those problems are ongoing.

(4) The Assistant United States Attorney proffered a police report of December 2003, indicating that defendant made severe physical threats against his parents, and reportedly took a knife and removed an electronic monitoring device from his ankle.

(5) A criminal background history check reveals that defendant has failed to appear in Court on five (5) separate occasions, all involving driving offenses.

(6) It is alleged that defendant is associated with the East African Posse street gang, which is reported to be involved heavily in criminal activity, including violent activity. This is part of the conspiracy charge in the first count of the indictment.

(7) Defendant's instant charges are serious offenses, and he faces a mandatory minimum sentence if convicted.

(8) There are no conditions or combination of conditions that will reasonably assure the appearance of defendant as required, or the safety of the community

**IT IS THEREFORE ORDERED:**

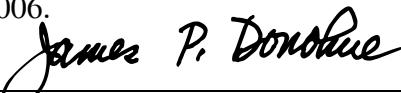
(1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

(2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;

(3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

01 (4) The Clerk shall direct copies of this Order to counsel for the United States, to  
02 counsel for the defendant, to the United States Marshal, and to the United States  
03 Pretrial Services Officer.

04 DATED this 15th day of February, 2006.

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06 JAMES P. DONOHUE  
07 United States Magistrate Judge

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